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U.S. DISTRICT COURT  
SAVANNAH DIV.  
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**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF GEORGIA**

**SAVANNAH DIVISION**

JOHN RANDALL FUTCH, )

Plaintiff, )

v. )

Case No. CV405-163

JAMES L. COURSEY, JR., RUSSELL )  
SMITH, and GERALD SISCO, )

Defendants. )

**REPORT AND RECOMMENDATION**

On September 9, 2005, this Court denied plaintiff leave to proceed *in forma pauperis* and ordered plaintiff to submit the full filing fee of \$250.00.

Plaintiff has filed a motion stating that he wishes to voluntarily dismiss his case at this time so he may pursue other remedies within the prison system.

Accordingly, the Court recommends that this case be DISMISSED WITHOUT PREJUDICE.

SO REPORTED AND RECOMMENDED this 21<sup>st</sup> day of  
September, 2005.



UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA